

**KENTUCKY BOARD OF DENTISTRY
LAW ENFORCEMENT COMMITTEE MEETING
July 10, 2009**

CALL TO ORDER

The Law Enforcement Committee meeting was called to order at 9:00 a.m. A motion was made by Dr. Fort to go into closed session pursuant to KRS 61.810(1) (c) and (j). Dr. Boggess seconded the motion. All were in favor. A motion was made by Dr. Fort to come out of closed session. Dr. Boggess seconded the motion. All were in favor. A motion to adjourn was made by Dr. Boggess. Dr. Fort seconded the motion. The committee meeting adjourned at 4:30 p.m.

**BOARD MEETING
July 11, 2009**

CALL TO ORDER

President William Boggess, D.M.D. called the meeting to order at 9:15 a.m. There was a determination of a quorum.

ROLL CALL

Present Board members were C. Mark Fort, D.M.D.; Jim Allen, D.M.D.; William Boggess, D.M.D.; Hank Sleet, D.M.D., M.D., Dianne Embry, R.D.H.; Susan M. King, D.M.D., and Katherine King, D.M.D. Dr. Greg Vance and Allan Francis were not in attendance.

Staff present were Mr. Bishop K. Bishop, Executive Director; Ryan Halloren, Assistant Attorney General for the absent Mark Brengelman, Board Counsel; and Lisa A. Turner, Executive Staff Advisor.

VISITORS

Dr. Marquetta Poynter
Lori Wilson, R.D.H., President KDHA
Mike Porter, KDA Executive Director
Dr. Paul Tiwana
Dr. Melanie Peterson
Dr. Fonda Robinson

APPROVAL OF MINUTES

Dr. Katherine King motioned that the Minutes of the May 9, 2009 Board Meeting be approved. Dr. Susan King seconded the motion. All were in favor.

Dr. Fort motioned that the Minutes of the June 20, 2009 Board Meeting be approved. Dr. Sleet seconded the motion. All were in favor.

DIRECTOR'S REPORT

Mr. Bishop gave a summary the year-end budget for fiscal year 2009 and agency status with the Office of the State Budget Director.

Mr. Bishop explained online renewals are closer to going live, but that the work with Kentucky.gov to eliminate errors is still ongoing.

Dr. Allen made a motion for the fee charged nonprofit organizations for a list of addresses be raised from \$50 to \$100 and for profit groups to be raised \$400; also verifications of licensure to be raised from \$20 to \$40. Dr. Sleet seconded the motion. All were in favor.

Dr. Jim Greer's request for a mandatory CE requirement was reviewed and discussed. No action was taken.

Dr. Allen made a motion to deny Dr. Harris' request for written opinion approving ozone therapy as dental treatment. Dianne Embry seconded the motion. All were in favor.

COMMITTEE REPORTS

Credentials Committee

The Board clarified the current law to grant Licensure by Credentials and goals for future changes to the Kentucky Dental Practice Act.

Dr. Susan King made motion to grant a license by credentials to Shan Sun, D.D.S., and Dr. Joseph Evans, D.D.S. Dr. Sleet seconded the motion. All were in favor.

Dr. Susan King made motion to grant a full general dentistry license to Paul S. Tiwana, D.D.S., M.D., M.S. Dr. Sleet seconded the motion. All were in favor.

Dr. Susan King made a motion to grant a license to Josephine Pulliam, R.D.H., Ann Bellisari, R.D.H., and Renee Richards, R.D.H. Dianne Embry seconded the motion. All were in favor.

Law Enforcement Committee

Dianne Embry motioned that the closed case report be accepted. Dr. Sleet seconded the motion. All were in favor.

Brian Fingerson's Well Being Committee report was distributed to the Board for review.

09-12, 30 35, 61 Dr. Fort moved to file Notice of Hearing with settlement authority. Dr. King seconded the motion. All were in favor.

08-123, 149 Dr. Fort moved to file Notice of Hearing with settlement authority. Dr. King seconded the motion. All were in favor.

94-074 Dr. Allen moved to file an Immediate Temporary Suspension for Dr. Don Bowman. Dr. Sleet seconded the motion. All were in favor.

09-006 Dr. Allen moved to file an Immediate Temporary Suspension. Dr. Susan King seconded the motion. All were in favor.

09-049 Dr. Fort moved to file a Cease and Desist Order the Unlicensed Practice of Dentistry. Dr. Susan King seconded the motion. All were in favor.

07-168 Dr. Fort moved to file a Cease and Desist Order the Unlicensed Practice of Dentistry. Dr. Sleet seconded the motion. All were in favor.

09-034, et. al. Dianne Embry moved to accept Settlement Agreements for the dental hygienist C.E. audit cases. Dr. Fort seconded the motion. All were in favor.

09-068 Dr. Fort made a motion to accept the settlement agreement. Dianne Embry seconded the motion. All were in favor.

07-168 Dr. Fort made a motion to accept the settlement agreement. Dr. Susan King seconded the motion. All were in favor.

08-100 Dr. Boggess made a motion to accept the settlement agreement. Dr. Fort seconded the motion. All were in favor.

07-129 Dr. Boggess made a motion to accept the settlement agreement. Dr. Fort seconded the motion. All were in favor.

08-141(a) 17 Dr. Boggess made a motion to accept the settlement agreement. Dianne Embry seconded the motion. All were in favor.

08-141(a) 1 Dr. Boggess made a motion to accept the settlement agreement. Dr. Sleet seconded the motion. All were in favor.

Dr. Jim Allen abstained from voting for all cases in which he had served on the Law Enforcement Committee. Dr. Fort and Boggess abstained from voting on all cases in which they served on the Law Enforcement Committee.

Anesthesia Committee

The Board confirmed approval of Dr. Sleet's written statement of the Board's definition of levels of sedation as previously approved at the May 2009 Board meeting (see attached) as the Opinion and Declaratory Ruling of the Board.

NEW BUSINESS

Dianne Embry reported on her attendance at the American Dental Hygiene Association Annual Meeting.

Ms. Embry asked for the Board Members' participation at SRTA and discussed the SRTA committees and SRTA voting. Dr. Jim Allen also discussed the Board's ownership relationship to SRTA. Dr. Sleet discussed the Board's relationship to SRTA as a benefit to the position as a Board member.

The Board directed that a letter be sent to Ronald Segebath, D.D.S. in response to his request for clarification on the Board's position on placement of sutures by dental assistants stating placement of sutures by assistants is not allowed in Kentucky.

The Board reviewed the letter from Judy Hennessy, MSW, requesting information on services that might be available for assistance for indigent pregnant women in Northern Kentucky who need dental treatment.

The Board denied Janella Spencer, RDH, MEd's request for dental hygiene students to practice general supervision because it does not meet the requirements under KRS 313.310 and 201KAR 8:450.

Board Elections

The Board re-elected Dr. Boggess as President; Dianne Embry R.D.H. as Vice President and Dr. Sleet as Secretary Treasurer.

Appointment of Committees

Law Enforcement Committee: Dr. Boggess and Dr. Fort

Credentialing Committee: Dr. Sleet, Dr. Susan King, Dr. Vance, Dianne Embry, Dr. Katherine King, and Dr. Allen will rotate, serving two at each meeting with a rotation schedule so each serves equal number of days.

Legislative Committee: Dr. Boggess, Dr. Susan King and Dr. Sleet

Anesthesia Committee: Dr. Sleet and Dr. Susan King

OLD BUSINESS

RAM update: Mr. Bishop gave a report of the June Pike County event and the Board's participation and full support of charitable dentistry.

Dr. Boggess made a motion to adjourn. Dr. King seconded the motion. All were in favor.

APPROVED:

William Boggess, D.M.D.
President

Dianne Embry, R.D.H.
Vice President